

**City of Fort Lauderdale Planning and Zoning Board****STAFF REPORT**

Case 14-P-05

*January 19, 2006*

<b>Applicant</b>	Sixth Street Corporation	
<b>Request</b>	Vacation of 10' ROW (B-2)	
<b>Location</b>	10' Portion of ROW along west side of NW 7 <sup>th</sup> Avenue abutting 399 NW 7 <sup>th</sup> Avenue on the south side of NW 4 <sup>th</sup> Street	
<b>Legal Description</b>	A portion of Lots 2 and 3 and the north 5' of the abutting vacated 10' alley, Block "A" of "Subdivision for Ft. Lauderdale Land & Development Co. Block 6, Fort Lauderdale, P.B. 1, P. 57 of the Public Records of Dade County Florida	
<b>Property Size</b>	1400 sf +/-	
<b>Zoning</b>	B-2	
<b>Existing Land Use</b>	Public right-of-way	
<b>Future Land Use Designation</b>	NW Regional Activity Center	
<b>Comprehensive Plan Consistency</b>	Consistent with Future Land Use Element, Objective 2.	
<b>Applicable ULDR Sections</b>	Sec. 47-24.6, Vacation of Right-of-Way	
<b>Notification Requirements</b>	Sign Posting 15 days prior to meeting; Mail Notice 10 days prior to meeting.	
<b>Other Required Approval</b>	City Commission	
<b>Action Required</b>	<ul style="list-style-type: none"> <li>• Recommend Approval of the Vacation; or,</li> <li>• Deny the Application.</li> </ul>	
<b>Project Planner</b>	<b>Name and Title</b>	<b>Initials</b>
	Yvonne Redding, Planner I	
	<b>Authorized By</b>	
	Greg Brewton, Deputy Planning and Zoning Director	
<b>Approved By</b>	Marc LaFerrier, Planning and Zoning Director	

**Request:**

The applicant requests the vacation of the right-of-way abutting 710 N.W. 4 Street, located south of NW 4<sup>th</sup> Street and west of NW 7<sup>th</sup> Avenue (Attached as Exhibit 1). The applicant requests the vacation to reclaim the land for a proposed Mortuary.

This request went before the Development Review Committee (DRC) at the June 14, 05 meeting; the applicant has addressed all comments. On June 16, 05, the Property and Right-of-Way (PROW) Committee recommended approval (Attached as Exhibit 2).

The proposed vacation of the 10' of Right-of-Way is to reverse the taking of the property for the 7<sup>th</sup> Avenue connection that did not occur. Mr. Hill has dedicated 10' previously and was requested by the City Traffic Engineer to dedicate an additional 10' for the connector. The City Traffic Engineer has since determined that this additional 10' is not needed by the City and as such should be returned to the owner.

The utility companies have provided letters that they have no object to this vacation and that they have no existing facilities within this vacation.

**Staff Determination:**

This proposed request meets the criteria for vacation of right-of-way, specifically, Sec 47-24.6.A.4.a, b and d. Staff has determined that:

- a. The right-of-way or other public place is no longer needed for public purposes; and
- b. Alternate routes if needed are available which do not cause adverse impacts to surrounding areas; and
- c. The closure of a right-of-way provides safe areas for vehicles to turn around and exit the area; and
- d. The closure of a right-of-way shall not adversely impact pedestrian traffic; and
- e. All utilities located within the right-of-way or other public place have been or will be relocated pursuant to a relocation plan; and the owner of the utility facilities has consented to the vacation; or a utilities easement has been retained over the right-of-way area or portion thereof; or an easement in a different location has been provided for the utility facilities by the owner to the satisfaction of the city; or any combination of same and utilities maintenance shall not be disrupted.

**Should the Board approve the proposed vacation, the following condition is proposed by staff:**

Final DRC approval is needed.

**Planning and Zoning Board Review Options:**

1. If the Planning and Zoning Board determines that the application meets the criteria for vacation and recommends approval of the vacation, the recommendation shall be forwarded to the City Commission for consideration.
2. If the Planning and Zoning Board determines that the criteria have not been met, the board shall deny the application and the procedures for appeal to the city commission as provided in Section 47-26B, Appeals, shall apply.